

## REMARKS

This is a full and timely response to the outstanding final Office Action mailed September 7, 2005. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### Rejections Under 35 U.S.C. §102

The Office Action indicates that claims 1 – 2, 5 – 14 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Oran*. Applicants respectfully traverse the rejection.

In this regard, Applicants appreciate the time that the Examiner has taken to more clearly articulate the rejection of the pending claims. In particular, the Office Action now indicates that the features of Applicants' claims are taught by *Oran* with respect to the "Start menu button" button. As will be discussed in detail below, Applicants respectfully assert that the rejections are still deficient.

In this regard, Applicants' claim 1 recites:

1. A method for controlling the presentation of a hierarchical arrangement of items in a window of a graphical user interface, at least one of the items having one or more related sub-items, the method comprising:

*displaying the one or more of the related sub-items of one of the items in response to:*

moving of a cursor over the one of the items and actuating an input button of a mouse input device as the cursor is located over the one of the items; and  
actuating a virtual button associated with the one of the items;

*determining when the cursor is moved over the one of the items; and in response thereto, displaying a first preview window comprising the one or more related sub-items.*

(Emphasis added).

Applicants respectfully assert that *Oran* is legally deficient for the purpose of anticipating claim 1, because at least the features/limitations recited above in claim 1 are not taught or otherwise disclosed by *Oran*. Specifically, claim 1 recites three distinct manners in

which the sub-items of an item can be displayed. That is, 1) in response to moving of a cursor over the one of the items and actuating an input button of a mouse input device as the cursor is located over the one of the items; 2) actuating a virtual button associated with the one of the items; and 3) determining when the cursor is moved over the one of the items; and in response thereto, displaying a first preview window comprising the one or more related sub-items.

Notably, the Office Action indicates that, with respect to the manner 3) above, *Oran* discloses “in response to the cursor being pointed at and the user selecting the start menu button, the related sub-menus are displayed.” (Office Action at page 3). Thus, the Office Action acknowledges that *Oran* requires the user to select the start menu button for the sub-menus to be displayed. This is in direct contrast to manner 3) recited in claim 1.

In particular, the relevant portion of claim 1 recites “determining when the cursor is moved over the one of the items; and in response thereto, displaying a first preview window comprising the one or more related sub-items.” Specifically, the language “in response thereto” appears to have been disregarded. That is, in claim 1, Applicants have clearly and unambiguously recited that the displaying of the first preview window is in response to “determining when the cursor is moved over the one of the items.” In contrast, the system of *Oran* is not responsive to moving the cursor over the start menu button; it is responsive to selecting the start menu button.

In this regard, Applicants have used the term “responsive” in accordance with its common and ordinary meaning. That is, being “responsive” denotes a cause and effect relationship. With respect to *Oran*, the cause and effect relationship is the selecting of the start menu button, not the pointing of the cursor to the start menu button, because such pointing does not result in a response. Thus, Applicants respectfully assert that the broadest reasonable interpretation of claim 1 does not result in *Oran* anticipating claim 1.

The use of “comprising” in claim 1 does not change this analysis. That is, even if the “displaying a first preview window” was responsive to features in addition to “determining when the cursor is moved over the one of the items,” *Oran* does not teach such responsiveness. Stated differently, *Oran* only teaches displaying responsive to selecting the start menu button; moving of the cursor is merely an intermediate action that allows the selecting to be accomplished. In direct contrast, “determining when the cursor is moved over the one of the items,” as recited in claim 1 IS the action to which the displaying of the first preview window is responsive. Therefore, for at least these reasons, Applicants respectfully assert that claim 1 is in condition for allowance.

Additionally, Applicants respectfully assert that none of the cited references teaches or otherwise discloses at least the combination of features set forth above in claim 1. Therefore, Applicants respectfully assert that claim 1 is in condition for allowance. Since claims 2 and 5 - 7 incorporate all the features/limitations of claim 1, Applicants respectfully assert that these claims also are in condition for allowance.

With respect to claim 8, that claim recites:

8. A system for controlling the presentation of a hierarchical arrangement of items in a window of a graphical user interface, at least one of the items having one or more related sub-items, the system comprising:
  - logic configured to:
    - display the one or more of the related sub-items of one of the items in response to:
      - moving of a cursor over the one of the items and actuating an input button of a mouse input device as the cursor is located over the one of the items, and
      - actuating a virtual button associated with the one of the items;
    - determine when a cursor is moved over the one of the items; and in response thereto, display a first preview window comprising the one or more related sub-items;*
  - a memory comprising an application supporting a graphical user interface and in which the logic is stored;
  - a display device configured to support the graphical user interface;

a cursor manipulation device configured to cooperate with the application and for manipulating the cursor with respect to the graphical user interface; and

a processing device configured to implement the logic and the application.

(Emphasis added).

Applicants respectfully assert that *Oran* is legally deficient for the purpose of anticipating claim 8, because at least the features/limitations recited above in claim 8 are not taught or otherwise disclosed by *Oran*. Specifically, claim 8 recites three distinct manners in which the sub-items of an item can be displayed. That is, 1) in response to moving of a cursor over the one of the items and actuating an input button of a mouse input device as the cursor is located over the one of the items; 2) actuating a virtual button associated with the one of the items; and 3) determining when the cursor is moved over the one of the items; and in response thereto, displaying a first preview window comprising the one or more related sub-items.

Notably, the Office Action indicates that, with respect to the manner 3) above, *Oran* discloses “in response to the cursor being pointed at and the user selecting the start menu button, the related sub-menus are displayed.” (Office Action at page 3). Thus, the Office Action acknowledges that *Oran* requires the user to select the start menu button for the sub-menus to be displayed. This is in direct contrast to manner 3) recited in claim 8.

In particular, the relevant portion of claim 8 recites “determine when the cursor is moved over the one of the items; and in response thereto, display a first preview window comprising the one or more related sub-items.” Specifically, the language “in response thereto” appears to have been disregarded. That is, in claim 8, Applicants have clearly and unambiguously recited that the display of the first preview window is in response to “determine when the cursor is moved over the one of the items.” In contrast, the system of

*Oran* is not responsive to moving the cursor over the start menu button; it is responsive to selecting the start menu button.

In this regard, Applicants have used the term “responsive” in accordance with its common and ordinary meaning. That is, being “responsive” denotes a cause and effect relationship. With respect to *Oran*, the cause and effect relationship is the selecting of the start menu button, not the pointing of the cursor to the start menu button, because such pointing does not result in a response. Thus, Applicants respectfully assert that the broadest reasonable interpretation of claim 8 does not result in *Oran* anticipating claim 8.

The use of “comprising” in claim 8 does not change this analysis. That is, even if the “display a first preview window” was responsive to features in addition to “determine when the cursor is moved over the one of the items,” *Oran* does not teach such responsiveness. Stated differently, *Oran* only teaches displaying responsive to selecting the start menu button; moving of the cursor is merely an intermediate action that allows the selecting to be accomplished. In direct contrast, “determine when the cursor is moved over the one of the items,” as recited in claim 8 IS the action to which the display of the first preview window is responsive. Therefore, for at least these reasons, Applicants respectfully assert that claim 8 is in condition for allowance.

Additionally, Applicants respectfully assert that none of the cited references teaches or otherwise discloses at least the combination of features set forth above in claim 8. Therefore, Applicants respectfully assert that claim 8 is in condition for allowance. Since claims 9 - 14 incorporate all the features/limitations of claim 8, Applicants respectfully assert that these claims also are in condition for allowance.

With respect to claim 21, that claim recites:

21. A method for controlling the presentation of a hierarchical arrangement of items in a tree-view control window of a graphical user interface, at least one of the items having a related sub-item, the method comprising:

displaying the related sub-item of the one of the items of the tree-view control window in response to:

- 1) actuating an input button of a mouse input device as a cursor is located over the one of the items; and
- 2) actuating a virtual button associated with the one of the items;

the method further comprising:

*displaying a first preview window comprising the related sub-item in response to determining that the cursor is located over the one of the items.*

(Emphasis added).

Applicants respectfully assert that *Oran* is legally deficient for the purpose of anticipating claim 21, because at least the features/limitations recited above in claim 21 are not taught or otherwise disclosed by *Oran*. Specifically, claim 21 recites three distinct manners in which the sub-items of an item can be displayed. That is, 1) in response to moving of a cursor over the one of the items and actuating an input button of a mouse input device as the cursor is located over the one of the items; 2) actuating a virtual button associated with the one of the items; and 3) displaying a first preview window comprising the one or more related sub-items in response to determining that the cursor is located over the one of the items.

Notably, the Office Action indicates that, with respect to the manner 3) above, *Oran* discloses “in response to the cursor being pointed at and the user selecting the start menu button, the related sub-menus are displayed.” (Office Action at page 5). Thus, the Office Action acknowledges that *Oran* requires the user to select the start menu button for the sub-menus to be displayed. This is in direct contrast to manner 3) recited in claim 21.

In particular, the relevant portion of claim 21 recites “displaying a first preview window comprising the related sub-item in response to determining that the cursor is located over the one of the items.” Specifically, the language “in response to” appears to have been

disregarded. That is, in claim 21, Applicants have clearly and unambiguously recited that the displaying of the first preview window is in response to “determining that the cursor is located over the one of the items.” In contrast, the system of *Oran* is not responsive to the cursor being located over the start menu button; it is responsive to selecting the start menu button.

In this regard, Applicants have used the phrase “in response to” in accordance with its common and ordinary meaning. That is, “in response to” denotes a cause and effect relationship. With respect to *Oran*, the cause and effect relationship is the selecting of the start menu button, not the pointing of the cursor to the start menu button, because such pointing does not result in a response. Thus, Applicants respectfully assert that the broadest reasonable interpretation of claim 21 does not result in *Oran* anticipating claim 21.

The use of “comprising” in claim 21 does not change this analysis. That is, even if the “displaying a first preview window” was in response to features in addition to “determining that the cursor is located over the one of the items,” *Oran* does not teach such responsiveness. Stated differently, *Oran* only teaches displaying in response to selecting the start menu button; moving of the cursor is merely an intermediate action that allows the selecting to be accomplished. In direct contrast, “determine when the cursor is moved over the one of the items,” as recited in claim 21 IS the action to which the display of the first preview window is responsive. Therefore, for at least these reasons, Applicants respectfully assert that claim 21 is in condition for allowance.

Additionally, Applicants respectfully assert that none of the cited references teaches or otherwise discloses at least the combination of features set forth above in claim 21. Therefore, Applicants respectfully assert that claim 21 is in condition for allowance.

### **Rejections Under 35 U.S.C. §103**

The Office Action indicates that claim 22 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Oran*. Applicants respectfully traverse the rejection. In particular, Applicants respectfully assert that claim 22 is a dependent claim that incorporates the limitations of claim 21, the allowability of which is described above. Since there has been no showing of a reference or combination of references to teach or reasonably suggest the limitations that have been shown to be deficient in *Oran* for rejecting claim 21, Applicants respectfully assert that claim 22 is in condition or allowance.

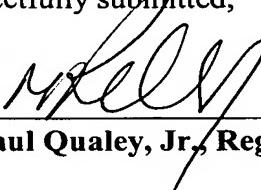
### **Cited Art of Record**

The cited art of record has been considered, but is not believed to affect the patentability of the presently pending claims.

## CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
M. Paul Qualey, Jr., Reg. No. 43,024

**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**  
Suite 1750  
100 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 10/28/05.

Stephanie Riley  
Signature